

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FELIPE S.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:21-CV-3149-TOR

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF No. 14). The parties agreed that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

ACCORDINGLY, IT IS HEREBY ORDERED:

1. The Parties' Stipulated Motion for Remand (ECF No. 14) is **GRANTED**.

This case is **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g), for further administrative proceedings and a new decision with respect to Plaintiff Felipe S.'s application for Disability Insurance

1 Benefits under Title II and XVI of the Social Security Act.

2 2. On remand, the Appeals Council will instruct the administrative law judge
3 (ALJ) to further develop the record and:

- 4 a. reevaluate the opinion evidence of record;
- 5 b. reevaluate Plaintiff's maximum residual functional capacity;
- 6 c. reconsider Plaintiff's subjective allegations;
- 7 d. if necessary, obtain a medical expert;
- 8 e. if necessary, obtain vocational expert evidence to clarify the effect
9 of the assessed limitations on Plaintiff's ability to perform other
10 work available in significant numbers in the national economy, and
11 resolving any inconsistencies with the Dictionary of Occupational
12 Titles;
- 13 f. determine whether Plaintiff is able to do any other work
14 considering his assigned residual functional capacity, age,
15 education and work experience;
- 16 g. offer Plaintiff the opportunity for a hearing, consider any
17 additional evidence submitted, take any further action needed to
18 complete the administrative record and issue a new decision.

19 3. Plaintiff should be entitled to reasonable attorney fees and costs, pursuant to
20 28 U.S.C. § 2412(d), upon a timely and proper application to this Court.

1 4. All pending motions, hearings, and the remaining briefing schedule are

2 **VACATED** as moot.

3 The District Court Executive is hereby directed to file this Order, provide
4 copies to counsel, enter **JUDGMENT** for Plaintiff, and **CLOSE** the file.

5 **DATED** May 19, 2022.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge